



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZAUDERER *et al.*

Appl. No. 09/818,991

Filed: March 28, 2001

For: **Methods of Producing a Library
and Methods of Selecting
Polynucleotides of Interest**

Confirmation No. 9763

Art Unit: 1639

Examiner: Ponnaluri, P.

Atty. Docket: 1821.0050004/EKS/HCC

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Reply To Requirement For Election of Species

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **August 11, 2003**, requesting an election of species to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the species WR. New claim 138 reads on the provisionally elected species. Claims 1-10, 22-30, 42-62, 64-79 and 82-88 are generic.

In a telephone conversation on September 11, 2003, Examiner Ponnaluri indicated that Applicants could add a claim reciting an additional strain of vaccinia virus from which the vector is derived, and elect the newly recited strain rather than one of the strains recited in claims 80-81. Applicants thank Examiner Ponnaluri for the helpful discussion.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time

are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson
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Date: September 11, 2003
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